

Feb. 28, 2000

ON Nov. 04, 2010 prior to flying back to North Carolina for a two month departure my wife and I wrote and hand delivered a letter to Mr. Mike Culan who is currently the project manager for the EPA Superfund Site in Libby, MT.

This letter related to the EPA intention of installing a power line up the Right of Way on Rainy Creek from Hi-way #37 for purposes of providing electricity to a generator being used for decontamination reasons.

Our mail from Libby was scheduled to be sent to us in North Carolina every 15 days beginning on Dec. 01, 2010. On Dec. 02 2010 we received a response letter from Mr. Andrew Lensink who is the senior enforcement attorney for the EPA in Region 8 in Denver, Colorado.

We immediately contacted Mr. Lensink by phone and through our conversation agreed that there were issues that needed to be resolved before the project was implemented.

Through our cordial conversation it was verbally decided that since we were in North Carolina until Jan. 11-2011 it would be more fitting to have a three way telephone conference at that time to discuss their concerns as well as ours. Besides, it was Winter time, and the EPA would not be back on site until the Spring of 2011. No problem! Mr. Lensink would notify Mr. Cirian and should there be any changes in the "PLAN" he would contact us.

Our flight home on Jan 11, 2011 was delayed due to inclement weather conditions in Atlanta, Georgia. We were rescheduled on Jan 15, 2011 to fly home. which we did! Upon arriving in Libby we called Mr. Lensink to schedule a telephone conference including Mr. Cirian, my wife and I plus Mr. Lensink. His comment initially was "I'm not sure of the status of the project, some work may have been done, Have you driven out there yet? "No I said, we have not. Is there a problem?"

I will call Mike Cirian today and we can have a three way conversation. I'll get right back to you he promised.

We then waited until Jan. 25, 2011 and called Mr. Lensink. "The power pole project had been completed during the week of Jan. 11, 2011. What do you want to do he inquired?"

"Well sir, I can confirm that the power poles, guy wires, power lines are in place and appear to be functional at this time.

So, my wife and I believe that you should send us a written letter, signed by you which documents and confirms, those issues which we discussed on our original phone conference on Dec. 20, 2010. You apparently did not abide by your agreement to me and therefore I need verification of the time frame referred to in this letter."

"I will contact Mr. Chian and get back to you this afternoon (Jan. 25, 2011)" Mr. Lensink replied. He finally called on Feb.13, 2011 Since that time several calls were made to Mr. Lensink office and we left a message each time for him to please return our calls. However on Monday Feb.13,20011, Mr. Lensink called and we were not home. We called him on Wednesday Feb, 15, 2011 and he answered.

Our coment was "please write the letter of confirmation from our discussion on Dec. 20, 2010". "Well", Mr. Lensink said, "I will get a hold of Mr. Cirian and give some thought about the letter". I will call you back in about 10 days. (Two weeks).